

Date	Ty		
Date	E-mail		Received: Menefee Physiotherapy Request
6/17/2021			From: Julia Barbani To: jscain@selectmedical.com (jscain@selectmedical.com) Sent: Thursday, June 17th, 2021 at 8:52 AM Subject: Received: Menefee Physiotherapy Request
6/17/2021	E-mail		Received: Fwd: Menefee Physiotherapy Request
			From: Julia Barbani To: Avery Bartlett Sent: Thursday, June 17th, 2021 at 12:29 PM Subject: Received: Fwd: Menefee Physiotherapy Request
6/17/2021	Note	Outgoing Call	Medical Provider Communication
			Hi Jeff, My assistant, Avery Bartlett, gave me your contact information. Ms. Kellie Menefee has requested that we ask Physio to please send us the balance amount owed on her account. She cannot afford to pay the balance now, and we will agree to pay off her account when her injury case settles. Thank you for your help. Julia
			Good afternoon!
			To receive the information you seek, you will need to contact billing at 888-823-8940. Please, have the name and date of birth of Ms. Menefee ready for the call.
			Call to billing office at 888-823-8940 re- above. Spoke w/ Ted. Told him that client wants Physio to stop sending her billing statements and have the balance owed on her acct paid from our office out of her settlements and that the atty reached out to rep there and was told that balance \$275.00. 19:38 min.
			Name: Kellie Menefee DOB: [REDACTED]
6/17/2021	E-mail		Received: RE: Menefee Physiotherapy Request
			From: Avery Bartlett To: Julia Barbani Sent: Thursday, June 17th, 2021 at 4:48 PM Subject: Received: RE: Menefee Physiotherapy Request
6/23/2021	E-mail		Received: Physiotherapy Account #140913539
			From: Hendershot, Nichole K. (NKHendershot@selectmedical.com) To: Avery

History for Kellie Menefee

Bartlett				
Sent: Wednesday, June 23rd, 2021 at 5:28 PM				
Subject: Received: Physiotherapy Account #140913539				
Patient non-statement Menefee,Kellie L.docx				Ty
6/24/2021	Note		Texted Client Back	
Kaiser bill still pending				
Will demand at least 6x meds when ready to send				
Physio req pending to transfer balance to a lien				
6/24/2021	E-mail		Received: RE: Kellie Menefee	
From: Julia Barbani To: Frances Boswell				
Sent: Thursday, June 24th, 2021 at 1:55 PM				
Subject: Received: RE: Kellie Menefee				
6/24/2021	Note		Texts from Client	
Accused me of lying about requesting records and complained about my services				
Also called in and complained to Frances and asked to speak to SGM				
Responded and advised client bills were properly requested (and that is why I got records) and will ask she be reassigned				
6/24/2021	Note		Advised KTL of Issue	
Agreed case should be reassigned and requested transfer to Cierra				
6/24/2021	Note		NOTE	
JB advised case reassigned to Cierra				
6/24/2021	E-mail	Email	Sent: Kellie Menefee - Directives	
From: Cierra Geter To: Rebecca Mason Valdez				
Sent: Thursday, June 24th, 2021 at 2:34 PM				
Subject: Sent: Kellie Menefee - Directives				

			Received: RE: Kellie Menefee - Directives
From: Ryan Brusie To: Cierra Geter Sent: Thursday, June 24th, 2021 at 2:36 PM Subject: Received: RE: Kellie Menefee - Directives			
6/24/2021 E-mail			Sent: Request for records and bills
From: 1 / Brusie To: roi@bmrp.com Sent: Thursday, June 24th, 2021 at 2:38 PM Subject: Sent: Request for records and bills			
Kellie Menefee Benchmark Request copy 4.pdf		Ty	
6/24/2021 E-mail			Sent: request over 60 days old
From: 1 / Brusie To: Ayanna R Clark Sent: Thursday, June 24th, 2021 at 2:40 PM Subject: Sent: request over 60 days old			
6/24/2021 Note			Unsuccessful Attempt to Contact Client-VM
6/24/2021 Document			NEW CASE MANAGER
6/25/2021 Note			Unsuccessful Attempt to Contact Client-VM
6/28/2021 Note			Unsuccessful Attempt to Contact Client-VM
6/29/2021 Note			Unsuccessful Attempt to Contact Client-not able to leave vm
7/1/2021 Note			Unsuccessful Attempt to Contact Client-MB FULL
7/7/2021 Note			Unsuccessful Attempt to Contact Client- VM FULL
7/8/2021 E-mail			Sent: REQUEST OVER 70 DAYS OLD!!!
From: 1 / Brusie To: Alisa.t.wright@kp.org Sent: Thursday, July 8th, 2021 at 10:28 AM Subject: Sent: REQUEST OVER 70 DAYS OLD!!!			
7/14/2021 Note			gathering all recs and bills for demand
7/14/2021 Attachment			PREPARED DEMAND
7/14/2021 E-mail			Sent: Kellie Menefee

History for Kellie Menefee

History for Kellie Menefee

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
know

C requested that it be expedited. Advised c I wasn't certain what is on the attorney's calendar but I would put in the request.

7/23/2021	E-mail		Received: FW: Kellie Menefee
From: Rebecca Mason Valdez	To: Cierra Geter		
Sent: Friday, July 23rd, 2021 at 10:35 AM			
Subject: Received: FW: Kellie Menefee			
3549194213.doc.dot		Ty	
7/25/2021	E-mail		Received: RE: Kellie Menefee
From: Cierra Geter	To: Rebecca Mason Valdez		
Sent: Sunday, July 25th, 2021 at 8:52 PM			
Subject: Received: RE: Kellie Menefee			
Kellie M.doc		Ty	
8/2/2021	Note		DEMAND OUT-VM
8/9/2021	Note		Demand Out Call
C called back and I went over the demand with her.			
She wants us to rescind demand and rescind demand for \$100K			
8/9/2021	Document		blank Letter to Adjuster
7020-1810-0001-8899-8907			
8/10/2021	Note		mailed cert blank letter to adjuster
8/10/2021	E-mail		Received: New Voice Message from Reception - KELLIE FMENEFEE [REDACTED] on 0
From: RingCentral (notify@ringcentral.com) To: Rebecca Mason Valdez			
Sent: Tuesday, August 10th, 2021 at 10:09 AM			
Subject: Received: New Voice Message from Reception - KELLIE FMENEFEE [REDACTED]			
on 08/10/2021 10:09 AM			

Date	Action Taken		
Date	Note		Comments
8/10/2021			T/C w/Client
	C changed her mind and wants to keep the demand at \$50K. She wanted a bd from the \$50K and I gave it to her and advised her that the demand amount doesn't necessarily mean that is what the insurance company will offer.		
8/10/2021	E-mail	Received: FW: 9277328/Kellie Menefee	Ty
	From: Rebecca Mason Valdez To: Mindy Walker-Lampkin Sent: Tuesday, August 10th, 2021 at 11:41 AM Subject: Received: FW: 9277328/Kellie Menefee		
8/11/2021	E-mail	Received: RE: 9277328/Kellie Menefee	Ty
	From: Mindy Walker-Lampkin (Mindy.Walker@walmart.com) To: Rebecca Mason Valdez Sent: Wednesday, August 11th, 2021 at 8:59 AM Subject: Received: RE: 9277328/Kellie Menefee		
8/11/2021	E-mail	Received: RE: 9277328/Kellie Menefee	Ty
	From: Mindy Walker-Lampkin (Mindy.Walker@walmart.com) To: Rebecca Mason Valdez Sent: Wednesday, August 11th, 2021 at 9:08 AM Subject: Received: RE: 9277328/Kellie Menefee		
8/11/2021	E-mail	Received: RE: 9277328/Kellie Menefee	Ty
	From: Rebecca Mason Valdez To: Mindy Walker-Lampkin Sent: Wednesday, August 11th, 2021 at 9:13 AM Subject: Received: RE: 9277328/Kellie Menefee		
8/11/2021	E-mail	Received: DENIAL	Ty
	From: Mindy Walker-Lampkin (Mindy.Walker@walmart.com) To: Rebecca Mason Valdez Sent: Wednesday, August 11th, 2021 at 9:58 AM Subject: Received: DENIAL		
	clm9277328_con1665259_1613508731221.rtf		
8/11/2021	E-mail	Sent: Kellie Menefee	
	From: 1 / Brusie To: Rebecca Mason Valdez Sent: Wednesday, August 11th, 2021 at 10:29		

History for Kellie Menefee

AM	Subject: Sent: Kellie Menefee	Received: FW: Kellie Menefee
8/11/2021	E-mail	
From: Rebecca Mason Valdez To: Ryan Brusie Sent: Wednesday, August 11th, 2021 at 11:43 AM Subject: Received: FW: Kellie Menefee		Ty
Kellie M copy 2.doc		
8/12/2021	E-mail	Sent: RE: Kellie Menefee
From: 1 / Brusie To: Rebecca Mason Valdez Sent: Thursday, August 12th, 2021 at 8:14 AM Subject: Sent: RE: Kellie Menefee		
8/19/2021	Note	scanned and mailed demand
8/23/2021	E-mail	Received: New Voice Message from Social Media - [REDACTED] on 08
From: RingCentral (notify@ringcentral.com) To: Rebecca Mason Valdez Sent: Monday, August 23rd, 2021 at 10:40 PM Subject: Received: New Voice Message from Social Media - [REDACTED]		Ty
[REDACTED].0823-224027.mp3		
8/24/2021	Note	Text with C
Rebecca Valdez (770) 741-0580 8:26 AM		
Good Morning, this is Rebecca with Monge and Associates. I got a voice message from you. I am a bit confused as there is no check to be signed or picked up?? Please call me @ 770-741-0580.		
8/24/2021	Note	Unsuccessful Attempt to Contact Client-VM

8/24/2021	Note		Unsuccessful Attempt to Contact Client-VM
8/24/2021	E-mail		Received: Re: Kellie Menefee Premise
From: Brenda Johnson To: Rebecca Mason Valdez Sent: Tuesday, August 24th, 2021 at 2:43 PM Subject: Received: Re: Kellie Menefee Premise			
8/24/2021	E-mail		Received: RE: Kellie Menefee Premise
From: Rebecca Mason Valdez To: Brenda Johnson Sent: Tuesday, August 24th, 2021 at 2:52 PM Subject: Received: RE: Kellie Menefee Premise			
8/25/2021	E-mail		Received: firm approval to DGAGE
From: Janice Francis To: Rebecca Mason Valdez Sent: Wednesday, August 25th, 2021 at 9:13 AM Subject: Received: firm approval to DGAGE			
1/1/4501	E-mail		Received: Treatment
From: To [REDACTED] Sent: Saturday, January 1st, 4501 at 12:00 AM Subject: Received: Treatment			
[REDACTED]			
1/1/4501	E-mail		Received: Treatment
From: To [REDACTED] Sent: Saturday, January 1st, 4501 at 12:00 AM Subject: Received: Treatment			
[REDACTED]			
1/1/4501	E-mail		Received: Kellie Menefee
From: To: Transfers Sent: Saturday, January 1st, 4501 at 12:00 AM Subject: Received: Kellie Menefee kelliemenefee.pdf			
[REDACTED]			

On July 31, 2020, Kellie Menefee went to shop at the Walmart located at 4004 Lawrenceville Highway NW, Lilburn, GA 30047. Kellie was walking down an aisle when she slipped and fell in liquid on the floor. Your insured was at the at fault party in failing to exercise ordinary care in inspecting and keeping its premises in a safe condition. Following her fall, our client immediately contacted the manager on duty and completed an incident report.

Liability:

Please accept this correspondence as our client's demand for settlement and compromise of this claim for damages arising from the referenced incident. While the following information should assist you in evaluating this claim and includes medical records, medical bills, and documentation showing the losses sustained by our client, this letter and the enclosed materials are submitted for the purpose of negotiation only. For this reason, nothing contained herein shall constitute an admission by our client, nor be admissible against our client at any hearing or trial.

Dear Claims,

SETTLEMENT DEMAND

Re: Your Insured: Walmart
Claim No.: 9277328
Our Client: Kellie Menefee
Date of Loss: 7/31/2020

CERTIFIED MAIL RECEIPT
Lexington, KY 40512
PO Box 14731
Claims Department
CMI

July 15, 2021

■ Also Admitted in AL
♦ Also Admitted in FL
▲ Also Admitted in SC
+ Also Admitted in NC

Alexander Brown ■ ♦
Ashley Crawley ▲ +
Kaitlin Dugos
Joseph Fleischman
Jason Green
Scott Lange
Amrit Norozzadeh ▲
Julia Bartani
Personal Injury & Wrongful Death Lawyers
8205 Dunwoody Place, Building 19
Atlanta, Georgia 30330
(800) 899-5750 telephone
(678) 579-0204 facsimile
www.BecauseYouWantWin.com
Charles Rauzon
Joseph Petruza
Scott Lange
Amrit Norozzadeh ▲
Clark R. Karel Jr.
Kennech Lescich ♦
Scott Lange
Amrit Norozzadeh ▲
Julia Bartani
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Charles Rauzon
Joseph Petruza
Scott Lange
Amrit Norozzadeh ▲
Also Admitted in TN
Also Admitted in NC

MONGE & ASSOCIATES



Special Damages:

As a result of the trauma induced injuries sustained by our client, she required medical attention, x-rays, and she took over the counter medicine to assist with her pain. Additionally, Kelliie received physical therapy and bedrest. Now that our client was unable to perform household chores such as cleaning, folding laundry, and washing dishes; stand for long periods of time; drive her car; and participate in social activities with family and friends without increased pain and discomfort. Our client's prognosis is guarded. Our client to this date continues to suffer from ongoing pain and suffering as a result of this clear liability collision. (See Exhibit "2", Medical Records and Related Expenses.)

Not surprisingly, our client received immediate medical treatment due to her fall related injuries. Our client, Kelliie presented herself to Kaiser Permanente where she received a physical examination and was released with a follow up referral. Not long thereafter, Kelliie received follow up care from Physical Therapy Associates. Below is a highlight of the personal injuries sustained by our client, to wit: Right Knee Pain.

Nature of Personal Injuries:

In short, our client was completely without fault in this matter. Ms. Menefee was an invitee on your insured's premises, and as such, was entitled to expect that your insured had exercised ordinary care to make its premises safe. Unfortunately, this was not the case and our client has ample evidence to survive any motions for summary judgment which may be filed should this matter proceed to litigation.

Furthermore, the Georgia Supreme Court has noted that constructive knowledge of a defect, i.e., that the defendant ought to have known of the defect in the exercise of ordinary care, is sufficient to charge the defendant with liability for injuries caused by the defect. See, Keaton v. A.B.C. Drug Company, 266 Ga. 385, 467 S.E. 2d 558 (1996). Here your insured was under a statutory duty to keep its store in a safe condition. A reasonable inspection would have revealed the accumulation of water. Your insured's agents and employees failed to adequately inspect the premises, thereby failing to uphold its duty under O.C.G.A. § 51-3-1. Consequently, our client slipped in a liquid substance, sustaining serious injuries.

Under Georgia law, an owner or occupier of land is liable for damages to an invitee for injuries caused by his failure to exercise ordinary care in keeping the premises and approaches safe. (O.C.G.A. § 51-3-1). Here, your insured was under a statutory duty to keep the areas open to its customers in a safe condition. In addition, an owner/occupier must exercise the diligence toward making the premises safe that a good businessperson is accustomed to use in such matters. This includes inspecting the premises to discover possible dangerous conditions of which the owner/occupier does not have actual knowledge, and taking reasonable precautions to protect invitees from dangers, foreseeable from the arrangement or use of the premises. See, Jackson v. Waffle House, Inc. 245 Ga. App. 371, 537 S.E. 2d 188 (2000). Moreover, an owner/occupier is on constructive notice of what a reasonable inspection would reveal. Id.

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Enclosures

c/g/m

Attoney
Extra Geter
Very Truly Yours,

With best regards, I remain,

This is a time limited demand, and, at 4:30 pm. 30 days from the date of this correspondence, it will be withdrawn and rescinded. The only payees listed on the settlement check should be our single client and Monge & Associates, P.C. Tax ID number 58-2286270. This correspondence is written in the spirit of compromise and settlement. All of the enclosed materials shall remain the property of our client and shall be returned upon request.

On the basis of medical and lost wage damages incurred by our client, as well as the extreme pain and suffering which our client has been forced to endure, all of which were caused by the clear negligence of your insured we are demanding a tender of \$50,000.00, in consideration of our client. A reasonable jury, in our opinion would have little difficulty in awarding the amount requested, if not a ~~far greater award~~. The amount cited in this settlement demand assumes that a copy of your insured's applicable declaration page has been produced to our office and there is no applicable excess, umbrella, or uninsured motorist coverage.

Settlement Demand

TOTAL SPECIAL DAMAGES TO DATE	
1. Physical Therapy Associates	\$ 7,458.00

The special damages which our client incurred as a result of this clear liability collision would include, but are not limited to, the following:

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Medical Records and Bills

Exhibit One

Kaiser Georgia

Transaction Totals by Date Report					
Report Settings		Patient Information		Submission Information	
Account:	MENEFEE, SHAWN [351287]	Patent:	MENEFEE, KELLIE L [0947578]	User:	[1418364]
Date:	Tue Jul 13, 2021 5:12 PM	Time:		Comments:	
Total Amount	4,387.00	Service Date From	07/31/2020	Service Provider	Shafira R Avery [50707] Md Shafira R Avery [50707]
Amount	162.00	Date	07/31/2020	Procedure	99213-OFFICE/OUTPATIENT ESTABLISHED LOW M.
Charges	98.00	Service Date To	08/03/2020	Pa-C Joseph C Reynolds	A4467-BELT STRAP SLEEVE GARMENT OR COVERL. Pa-C Joseph C Reynolds
Charges	12.00	Total Amount	08/03/2020	Pa-C Joseph C Reynolds	99212-OFFICE/OUTPATIENT ESTABLISHED SF MD. Pa-C Joseph C Reynolds
Charges	86.00	Amount	08/03/2020	Md John D Hamilton, M.D.	73660-RADIODILOGIC EXAMINATION KNEE 1/2 VIEWS
Charges	82.00	Amount	08/05/2020	Do Kenyatta Dean V, D.O.	99442-PHYS/CHP TELEPHONE EVALUATION 11-20
Charges	770.00	Amount	08/24/2020	Md MBA Jeffrey R Root	46221-HEMORRHOIDECTOMY INTERNAL RUBBER.
Charges	121.00	Amount	11/23/2020	MD Rick E Stalling, M.D.	99443-PHYS/CHP TELEPHONE EVALUATION 21-30
Charges	0	Amount	01/04/2021	Dekalb Lab [9960010]	87635-1ADNA SARS-COV-2 COVID-19 AMPLIFIED PR.
Charges	98.00	Amount	01/06/2021	Md Shrinesh Patel V, M.D.	99442-PHYS/CHP TELEPHONE EVALUATION 11-20

1411 99442-PHYS/QHP TELEPHONE EVALUATION 11-20... Md David B Greenstein... 01/14/2021 98.00
1419 99441-PHYS/QHP TELEPHONE EVALUATION 5-10 MIN Md Jayashree Venkatesh... 02/11/2021 60.00
1432 99204-OFFICE/OUTPATIENT NEW MODERATE MDM Md Shawnay N Mazell [5] 04/09/2021 355.00
1433 84443-ASSAY OF THYROID STIMULATING HORMO Dekalb Lab [9960010] 04/09/2021 70.00
1434 80053-COMPREHENSIVE METABOLIC PANEL Dekalb Lab [9960010] 04/09/2021 44.00
1435 82607-CYANOCOBALAMIN VITAMIN B-12 Dekalb Lab [9960010] 04/09/2021 63.00
1436 82306-25 HYDROXY INCUBUS FRACTIONS IF PER Dekalb Lab [9960010] 04/09/2021 123.00
1437 99443-PHYS/QHP TELEPHONE EVALUATION 21-30... Md Rick E Stalling, M.D. 04/06/2021 143.00
1454 70551-MRI BRAIN STEM W/O CONTRAST MA... Md Siddhartha S Thanaw... 04/18/2021 1,404.00
1457 99441-PHYS/QHP TELEPHONE EVALUATION 5-10 MIN Md Julia Y Campbell, M.D. 02/24/2021 60.00
1467 99442-PHYS/QHP TELEPHONE EVALUATION 11-20... Do Kenyatta Dean V, D.O. 06/01/2021 98.00
1484 99443-PHYS/QHP TELEPHONE EVALUATION 21-30... Md Rick E Stalling, M.D. 06/21/2021 143.00